UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,679	01/26/2004	Eric Watson	303248.01	9444

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MICROSOFT CORPORATION
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EXAMINER
KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
2163	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<tr><td rowspan="2">Office Action Summary</td><td>Application No.
10/764,679</td><td>Applicant(s)
WATSON ET AL.</td></tr>
<tr><td>Examiner
Alford W. Kindred</td><td>Art Unit
2163</td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>17 November 2006</u>.

2a)☒ This action is **FINAL**.　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)　　　　　　　Office Action Summary　　　　　　　Part of Paper No./Mail Date 20070204

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed on 11/17/06.

This action is made final.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bailey et al., US# 2005/0004889, in view of Kapur et al., US# 20060122969.

As per claim 1, Bailey et al. teaches "a query term recognizer that examiners the

query terms and identifies" (see paragraph [0128] and [0167]) "a query type recognizer

that examines the query terms and categorizes the query as one of a plurality of query

types" (see paragraph [0127] and [0131]) "a query intent personalizer that gathers

information about the user entering the query and provides this information to the query

term recognizer and query type recognizer" (see paragraph [0119] and [0146]) "a query

modifier that modifies the user entered query based on the term grouping determined by

the query term recognizer and the query type determined by the query type recognizer"

(see paragraph [0037] and [0046]) "a query federation module that selects data sources

from the plurality of data sources and executes the modified query on the selected data

sources" (see paragraph [0036], [0046] and [0167]). Bailey et al. does not explicitly

teaches "automatically groups query terms that are intended as a phrase." Kapur et al.

teaches "automatically groups query terms that are intended as a phrase" (see

paragraph [0010], [0012], [0047], and [0069]). It would have been obvious at the time of

the invention for one of ordinary skill in the art to have combined the teachings of Bailey

and Kapur above, because using the steps of "automatically groups query terms that

are intended as a phrase", would have given those skilled in the art the tools to

categorize and grouped query terms into relevant phrases. This gives users the

advantage of getting the most relevant results back faster based on an initial query that

is subsequently modified.

As per claim 2, Bailey et al. teaches "a spell checker that recognizes misspelled

query terms and replaces the misspelled query terms with correctly spelled terms and

wherein the query term recognizer and query type recognizer examine the correctly

spelled terms" (see paragraph [0036] and [0046]).

As per claim 3, Bailey et al. teaches "wherein the spell checker arguments the

query with correctly spelled terms and wherein the query term recognizer and query

type recognizer examine the augmented query" (see paragraph [0046] and [0166]).

As per claims 4-5, Bailey et al. teaches "a query list that maps possible query

terms to other terms with which they are often grouped and wherein the query term

recognizer refers to the query term list to identify and group terms as phrases" (see

paragraph [0046] and [0127]).

As per claim 6, Bailey et al. teaches "a local pattern recognizer that identifies

query terms that identify the query as a local query seeking information related to a

specific geographic region from which the query originated" (see paragraph [0166] and [0167]).

As per claim 7, Bailey et al. teaches "the query type recognizer augments the query with information about the specific geographic region when a local query is identified" (see paragraph [0168]).

As per claim 8, Bailey et al. teaches "query federation module selects a phone directory data source upon which to execute the local query" (see paragraph [0043] whereas Bailey's pull down menu has the capacity to connect to a phone directory data as illustrated in applicant's claim language).

As per claim 9, Bailey et al. teaches "a context builder that retrieves information about the user entering the query" (see paragraph [0067] and [0146]).

As per claim 10, Bailey et al. teaches "web sites recently accessed by the user" (see paragraph [0067] and [0092]).

As per claim 11, this claim is rejection on grounds corresponding to the arguments given above for rejected claim 8 and is similarly rejected.

As per claims 12-13, Bailey et al. teaches "each federation engine has an associated cache that saves results to previous queries that were returned to the federation engine from its data source" (see paragraph [0067] and [0118]).

As per claim 14, Bailey et al. teaches "the query list is based on user selected results to previous queries containing query terms that were grouped as a phrase in the selected results" (see paragraph [0067] and [0092]).

As per claim 15, Bailey et al. teaches "query term list maps terms to query

categories based on user selected results to previous queries that included the query

terms" (see paragraph [0067] and [0113]).

As per claims 16-26, these claims are rejected on grounds corresponding to the

arguments given above for rejected claims 1-13 and are similarly rejected.

As per claims 27-41, these claims are rejected on grounds corresponding to the

arguments given above for rejected claims 1-13 and are similarly rejected.

Response to Arguments

4.   Applicant's arguments with respect to claims 1-41 have been considered but are

moot in view of the new ground(s) of rejection.

--With respect to applicant's arguments regarding "the cited art does not teach or

suggest modifying the query on the basis of term grouping and/or query type", examiner

disagrees and maintains that Bailey's teachings of dividing the query phrase in to

multiple term queries, reads on applicant's claim language regarding modifying queries.

--Further, examiner could not locate in applicant's specification the clear support

for the use of "automatically groups" with respect to the amended claim language.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alford W. Kindred
Patent Examiner
Tech Ctr. 2100